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13 **UNITED STATES BANKRUPTCY COURT**  
14  
**NORTHERN DISTRICT OF CALIFORNIA**  
15  
**SAN FRANCISCO DIVISION**

16 **In re:**

17 **PG&E CORPORATION**

18 **-and-**

19 **PACIFIC GAS AND ELECTRIC  
COMPANY,**

20 **Debtors.**

- 21  Affects PG&E Corporation
- 22  Affects Pacific Gas and Electric Company
- 23  Affects both Debtors

24 \*All papers shall be filed in the Lead Case,  
No. 19-30088 (DM)

25 Bankruptcy Case  
No. 19-30088 (DM)

26 Chapter 11  
(Lead Case)  
(Jointly Administered)

27 **STATEMENT OF THE OFFICIAL  
COMMITTEE OF TORT CLAIMANTS  
REGARDING MOTION BY THE CITY  
AND COUNTY OF SAN FRANCISCO  
FOR DETERMINATION THAT  
AUTOMATIC STAY DOES NOT APPLY  
UNDER § 362(b)(4) OR IN THE  
ALTERNATIVE, FOR RELIEF UNDER §  
362(d)(1) AND MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT (DKT. NO. 1535)**

28 Date: May 9, 2019  
Time: 9:30 a.m. (Pacific Time)  
Place: United States Bankruptcy Court  
Courtroom 17, 16<sup>th</sup> Floor  
San Francisco, CA 94102

**Preliminary Objections Due: May 2, 2019**

1       The Official Committee of Tort Claimants (the “TCC”) of PG&E Corporation and Pacific  
2 Gas and Electric Company (collectively, “PG&E”) hereby submits this statement (the  
3 “Statement”) in accordance with the Docket Text Order entered by the Court on April 29, 2019,  
4 and in response to the Motion by the City and County of San Francisco for Determination that  
5 Automatic Stay Does Not Apply Under § 362(b)(4) or in the Alternative, for Relief From the  
6 Automatic Stay Under § 362(d)(1) and Memorandum of Points and Authorities in Support (Dkt.  
7 No. 1535) (the “Motion”). In support of the Statement, the Committee respectfully states as  
8 follows:

9       1.       The Motion alleges that the automatic stay does not apply to various disputes (the  
10 “Proceedings”) between the City and County of San Francisco (“San Francisco”) and PG&E  
11 pending before the Federal Energy Regulatory Commission (“FERC”) because the Proceedings  
12 constitute a governmental unit’s enforcement of regulatory powers. Alternatively, the Motion  
13 argues that if the automatic stay applies, cause exists to lift the stay to permit the Proceedings to  
14 continue before FERC.

15       2.       The TCC does not oppose San Francisco’s request to permit the Proceedings to  
16 proceed before FERC to a final determination on the issue of PG&E’s compliance with the  
17 Wholesale Distribution Tariffs (“WDT”), including to the extent San Francisco is moving for  
18 relief to determine how the WDT should be implemented going forward. Notwithstanding, the  
19 TCC respectfully requests that San Francisco be prohibited from liquidating or estimating claims  
20 or from seeking payment, recoupment or setoff.

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1           3.     The TCC respectfully reserves the right to file further submissions or to join in  
2 other responses to the Motion.

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4 Dated: May 2, 2019

Respectfully submitted,

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6 BAKER & HOSTETLER LLP

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8 By: /s/ Cecily A. Dumas

9 Cecily A. Dumas

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11 Attorneys for Official Committee of Tort Claimants

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